

EXHIBIT A

**Lieff
Cabraser
Heimann &
Bernstein**
Attorneys at Law

Lieff Cabraser Heimann & Bernstein, LLP
275 Battery Street, 29th Floor
San Francisco, CA 94111-3339
t 415.956.1000
f 415.956.1008

April 14, 2020

Dean Harvey
Partner
dharvey@lchb.com

VIA E-MAIL

All Defendants

Recipients Listed Below

RE: *In Re California Bail Bond Antitrust Litigation*
Case No. 3:19-cv-00717-JST (N.D. Cal.)

Dear Counsel:

Shortly after I wrote you yesterday, the Court resolved Defendants' then-pending motions to dismiss. In light of that order, please disregard my request that we file a notice of submitted matter.

With respect to discovery, the basis for the Court's July 20, 2019 Order Granting Stay of Discovery (ECF 64) no longer exists, and the stay should accordingly be lifted.

First, as I mentioned in my letter yesterday, the Court contemplated only a "brief" stay, and referenced the fact that oral argument was scheduled to occur within 90 days. ECF 64 at 2 and 3. The stay has now been in place for over eight months.

Second, at the time the Court stayed discovery, Defendants' motions to dismiss had the potential to "be dispositive of the entire case." ECF 64 at 2. That is no longer true. We now know: (1) Plaintiffs' claims against at least three Defendants are sustained; (2) Plaintiffs have alleged a plausible antitrust conspiracy; (3) Defendants are potentially liable with respect to both components of Plaintiffs' antitrust claims (submitting collusive premium rates and eliminating competitive discounts); and (4) Plaintiffs have sufficiently alleged fraudulent concealment and continuing violation, such that the relevant damages period will begin on February 24, 2004. ECF 91.

With respect to Plaintiffs' forthcoming Second Consolidated Amended Complaint, the only question is whether there will be sufficient allegations regarding the remaining Defendants' participation in the conspiracy. However that question is resolved, these remaining Defendants will, at the very least, be subject to discovery as third parties, and the case will continue.

Third, the Court also found that Plaintiffs did not provide a basis to suspect that Defendants may be failing to adequately preserve relevant evidence. ECF 64 at 3. As I explained in my letter yesterday, that, too, is no longer the case. At least one Defendant, American Surety Company, removed relevant statements from its website, and then denied that

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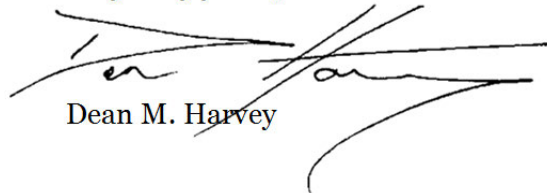
those statements were ever made. Defendants only withdrew part of their opposition to our request for judicial notice after we provided you with proof that those statements appeared on ASC's website. That proof was only possible because those relevant statements were displayed on a public internet page that was archived by a third party service. The reach of such third-party preservation tools is limited, and we need to understand what is being preserved and what is being destroyed.

We look forward to working with you to conduct a complete Rule 26(f) conference as soon as possible. We would like to schedule an initial conference with all parties to discuss common issues, and also schedule an individual conference with each Defendant to discuss individual issues, such as information required to be disclosed under the Northern District of California's ESI Guidelines and Checklist.

By April 20, 2020, please confirm whether you agree that the discovery stay should be lifted. If that position differs from Defendant to Defendant, please let us know. Please also provide dates and times when you are available for a general Rule 26(f) conference with all parties and for an individual Rule 26(f) conference regarding your client's discoverable information. We are largely available next week.

Again, we send you our best wishes for your health and safety.

Very truly yours,



Dean M. Harvey

Counsel
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Recipient List:

Gary A. Nye
gan@rpnalaw.com
Counsel for:
Allegheny Casualty Company
Associated Bond and Insurance Agency, Inc.
Bankers Insurance Company
Harco National Insurance Company
International Fidelity Insurance Company
Lexington National Insurance Corporation
Jerry Watson

Michael Attanasio
mattanasio@cooley.com
Jon Cieslak
jcieslak@cooley.com
Beatriz Mejia
bmejia@cooley.com
Counsel for:
Seaview Insurance Company
Two Jinn, Inc.

Michael P. Murphy
michael.murphy@dlapiper.com
Lisa Tenorio-Kutzkey
ltk@dlapiper.com
Counsel for:
Danielson National Insurance Company
National American Insurance Company of
California

Paul J. Riehle
paul.riehle@dbr.com
Counsel for:
Accredited Surety and Casualty Company

Nick J. DiGiovanni
ndigiovanni@lockelord.com
Regina J. McClendon
rmcclendon@lockelord.com
Counsel for:

Vincent S. Loh
vloh@mrlip.com
Todd H. Stitt
tstitt@mrlip.com
David F. Hauge
dhauge@mrlip.com
Counsel for:
Crum & Forster Indemnity Company
North River Insurance Company
Seneca Insurance Company
United States Fire Insurance Company

Christie A. Moore
christie.moore@dentons.com
W. Scott Croft
scott.croft@dentons.com
Rachel Washburn
rachel.washburn@dentons.com
Counsel for:
Bond Safeguard Insurance Company
Lexon Insurance Company

John A. Sebastinelli
sebastinellij@gtlaw.com
Howard Holderness
holdernessh@gtlaw.com
Counsel for:
American Surety Company
Indiana Lumbermen's Mutual Insurance
Company

Brendan Pegg
brendan@bpegglaw.com
Counsel for:
Financial Casualty & Surety, Inc.

Spencer Kook
skook@hinshawlaw.com
Travis Wall
twall@hinshawlaw.com
Counsel for:

Counsel
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Safety First Insurance Company

Drew Koning
drew@kzllp.com
Blake Zollar
blake@kzllp.com
Shaun Paisley
shaun@kzllp.com
Counsel for:
All-Pro Bail Bonds, Inc.

John M. Rorabaugh
baillaw@usa.net
Counsel for:
Golden State Bail Agents Association

Gregory S. Day
attygsd@gmail.com
Counsel for:
California Bail Agents Association
Universal Fire & Insurance Company
Sun Surety Insurance Company

Gerard G. Pecht
Gerard.pecht@nortonrosefulbright.com
Sumera Khan
sumera.khan@nortonrosefulbright.com
Counsel for:
American Contractors Indemnity Company

Philadelphia Reinsurance Corporation

Anne K. Edwards
aedwards@sgrlaw.com
Kristen Wenger
kwenger@sgrlaw.com
John Marino
jmarino@sgrlaw.com
Counsel for:
Williamsburg National Insurance Company

Erik K. Swanholt
eswanholt@foley.com
Counsel for:
Continental Heritage Insurance Company

Nicole S. Healy
nicole.healy@rmkb.com
Counsel for:
American Bail Coalition, Inc.
William Carmichael